

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

SSGT JASON A. ADKINS, USAF,	)	C.A. NO.: 04-1453-JJF
	)	
Plaintiff,	)	
	)	
v.	)	<b>DEFENDANTS'</b>
	)	<b>MEMORANDUM OF</b>
DONALD H. RUMSFELD, Secretary of Defense;	)	<b>LAW IN SUPPORT OF</b>
JAMES G. ROCHE, Secretary of the Air Force;	)	<b>DEFENDANTS' MOTION</b>
GEN. JOHN W. HANDY, Commander Air Mobility	)	<b>TO DISMISS</b>
Command; COL. JOHN I. PRAY, JR., 436th Airlift	)	
Wing Commander, in their official capacities,	)	
	)	
Defendants.	)	

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**EXHIBIT 3:**

**AFFIDAVIT OF RONALD M. BERNARDIN III**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

SSGT. JASON A. ADKINS, USAF,

Plaintiff,

v.

DONALD H. RUMSFELD, Secretary of Defense;  
JAMES G. ROCHE, Secretary of the Air Force;  
GEN. JOHN W. HANDY, Commander Air Mobility  
Wing; COL. JOHN I. PRAY, JR., 436th Air Wing  
Commander, in their official capacities,

Defendants.

C.A. NO.: 04-1453-JJF

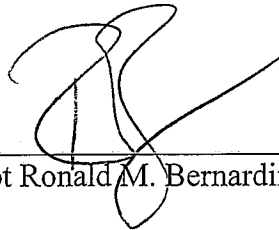
**AFFIDAVIT OF RONALD M. BERNARDIN III**

I, Ronald M. Bernardin III, state under penalty of perjury the following:

1. I am a Captain in the United States Air Force. I am currently stationed at Dover Air Force Base where I serve as a Flight Surgeon in the Flight Medicine Clinic for the 436th Airlift Wing. I have served in that capacity since 11 July 2003. This is my first duty assignment.
2. On October 21, 2004, I examined Jason Adkins at an unscheduled appointment at the Flight Medicine Clinic. Following the examination, I changed Adkins' status to "Duties Not to Include Flying" and prescribed certain medication.

3. Prior to the issuance of a letter of reprimand to Jason Adkins, which I understand to have occurred on the morning of October 22, 2004, I neither informed anyone nor was asked by anyone about the content or subject matter of my conversation with Jason Adkins at his examination on October 21, 2004.

Dated: January 09, 2006



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Capt Ronald M. Bernardin III